

AMENDED IN SENATE AUGUST 7, 2014

AMENDED IN ASSEMBLY APRIL 8, 2014

AMENDED IN ASSEMBLY MARCH 25, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1440

Introduced by Assembly Member Campos
(Coauthor: Senator Padilla)

January 6, 2014

An act to add ~~Section~~ *Sections 21507, 21607, 21621, and 22001* to, ~~and~~ to add Chapter 2 (commencing with Section 10010) to Part 1 of Division 10 of, *and to repeal Sections 21500.1, 21601.1, and 21620.1 of*, the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 1440, as amended, Campos. Elections: district boundaries: public hearing.

Existing law requires county boards of supervisors and the councils of general law and charter cities that elect members by or from districts following each decennial federal census, and using that census as a basis, to adjust the boundaries of the supervisorial and council districts, as specified. Existing law requires a county board of supervisors or a city council of a general law city or the governing body of a charter city to hold at least one public hearing on any proposal to adjust the boundaries of a district prior to a public hearing at which the board or council votes to approve or defeat the proposal.

This bill would also require the governing body of a district to hold at least one public hearing on a proposal to adjust the boundaries of a division prior to a public hearing at which the governing body of the

district votes to approve or defeat the proposal. The bill would require a political subdivision that changes from an at-large method of election to a district-based election, as defined, to hold at least 2 public hearings on a proposal to establish the district boundaries of the political subdivision prior to a public hearing at which the governing body of the political subdivision votes to approve or defeat the proposal. *The bill would also make technical, nonsubstantive changes to these provisions.*

Because the bill would impose additional duties on local agencies, it would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 2 (commencing with Section 10010) is
2 added to Part 1 of Division 10 of the Elections Code, to read:

3

4

CHAPTER 2. DISTRICT BOUNDARIES

5

6 10010. (a) A political subdivision that changes from an at-large
7 method of election to a district-based election shall hold at least
8 two public hearings on a proposal to establish the district
9 boundaries of the political subdivision prior to a public hearing at
10 which the governing body of the political subdivision votes to
11 approve or defeat the proposal.

12 (b) This section applies to, but is not limited to, a proposal that
13 is required due to a court-imposed change from an at-large method
14 of election to a district-based election.

15 (c) For purposes of this section, the following terms have the
16 following meanings:

17 (1) "At-large method of election" has the same meaning as set
18 forth in subdivision (a) of Section 14026.

1 (2) “District-based election” has the same meaning as set forth
2 in subdivision (b) of Section 14026.

3 (3) “Political subdivision” has the same meaning as set forth in
4 subdivision (c) of Section 14026.

5 *SEC. 2. Section 21500.1 of the Elections Code is repealed.*

6 ~~21500.1. The board shall hold at least one public hearing on
7 any proposal to adjust the boundaries of a district, prior to a public
8 hearing at which the board votes to approve or defeat the proposal.~~

9 *SEC. 3. Section 21507 is added to the Elections Code, to read:*

10 *21507. Before adjusting the boundaries of a district pursuant*
11 *to Section 21500, 21503, or 21504, or for any other reason, the*
12 *board shall hold at least one public hearing on the proposal to*
13 *adjust the boundaries of the district prior to the public hearing at*
14 *which the board votes to approve or defeat the proposal.*

15 *SEC. 4. Section 21601.1 of the Elections Code is repealed.*

16 ~~21601.1. The council shall hold at least one public hearing on
17 any proposal to adjust the boundaries of a district prior to a public
18 hearing at which the council votes to approve or defeat the
19 proposal.~~

20 *SEC. 5. Section 21607 is added to the Elections Code, to read:*

21 *21607. Before adjusting the boundaries of a district pursuant*
22 *to Section 21601, 21603, or 21604, or for any other reason, the*
23 *council shall hold at least one public hearing on the proposal to*
24 *adjust the boundaries of the district prior to the public hearing at*
25 *which the council votes to approve or defeat the proposal.*

26 *SEC. 6. Section 21620.1 of the Elections Code is repealed.*

27 ~~21620.1. The governing body shall hold at least one public
28 hearing on any proposal to adjust the boundaries of a district prior
29 to a public hearing at which the council votes to approve or defeat
30 the proposal.~~

31 *SEC. 7. Section 21621 is added to the Elections Code, to read:*

32 *21621. Before adjusting the boundaries of a district pursuant*
33 *to Section 21620 or for any other reason, the governing body shall*
34 *hold at least one public hearing on the proposal to adjust the*
35 *boundaries of the district prior to the public hearing at which the*
36 *governing body votes to approve or defeat the proposal.*

37 ~~*SEC. 2.*~~

38 *SEC. 8. Section 22001 is added to the Elections Code, to read:*

39 ~~*22001. The*~~ *Before adjusting the boundaries of a division*
40 *pursuant to Section 22000 or for any other reason, the governing*

1 body of ~~a~~ *the* district shall hold at least one public hearing on ~~any~~
2 *the* proposal to adjust the boundaries of ~~a~~ *the* division prior to ~~a~~
3 *the* public hearing at which the governing body votes to approve
4 or defeat the proposal.

5 ~~SEC. 3.~~

6 *SEC. 9.* If the Commission on State Mandates determines that
7 this act contains costs mandated by the state, reimbursement to
8 local agencies and school districts for those costs shall be made
9 pursuant to Part 7 (commencing with Section 17500) of Division
10 4 of Title 2 of the Government Code.